

**The State Bar of California  
Labor and Employment Law Section**  
in association with

**Riverside County Bar Association  
and Desert Bar Association**

**Presents**

# **Labor and Employment Law For the General Practitioner**

**Saturday, May 10, 2003  
8:30 a.m. to 2:00 p.m.**

**Riviera Resort & Racquet Club  
1600 North Indian Canyon Drive  
Palm Springs, CA  
(760) 327-8311**

**4 Hours MCLE**

*The State Bar of California Section Education & Meeting  
Services is a State Bar of California approved provider.*

# PROGRAM SCHEDULE

## Labor and Employment Law For the General Practitioner

8:30–9:00 a.m. Check-In and Continental Breakfast

9:00–10:00 a.m. The Law of Employment

### **Marilynn Mika Spencer**

Law Offices of Marilynn Mika Spencer, San Diego

Ms. Spencer will introduce the fundamentals of at-will employment, employment contracts, public policy and collective bargaining, including unlawful discrimination and termination.

Marilynn Mika Spencer has been representing workers and labor unions for 20 years, first as a labor union officer and shop steward, then as an attorney. Ms. Spencer maintains private law offices in San Diego and Temecula, representing unions, workers, and selected employers in labor and employment matters. Ms. Spencer is a co-author of a chapter on injured and disabled workers for the National Lawyers Guild publication Employee and Union Member Guide to Labor Law, published by Clark Boardman Callaghan (West Group), and her articles have appeared in a number of law journals. Ms. Spencer is on the Executive Board of the California Employment Lawyers Association (CELA) and a member of the Executive Committee of the Labor and Employment Section of the State Bar of California. She serves as Chair of the Personnel Appeals Board of the City of La Mesa. Ms. Spencer obtained her law degree from the University of California at Los Angeles (UCLA) School of Law.

10:00–10:15 a.m. Break

10:15–11:15 a.m. Administrative Agency and Court Jurisdiction in Labor and Employment Cases

### **Jeffrey B. Demain**

Altshuler, Berzon, Nussbaum, Rubin & Demain, San Francisco

Mr. Demain will review various considerations in bringing claims before several of the administrative agencies which enforce the labor and employment laws in California, including the Equal Employment Opportunity Commission (EEOC), the Department of Fair Employment and Housing (DFEH), the Office of the Labor Commissioner, the National Labor Relations Board (NLRB), the Public Employment Relations Board (PERB), and the Agricultural Labor Relations Board (ALRB), such as agency vs. court jurisdiction, administrative exhaustion and limitations periods.

Mr. Demain is a partner in the San Francisco law firm of Altshuler, Berzon, Nussbaum, Rubin & Demain, where he represents international and local labor unions, public interest organizations and individuals in labor, employment, constitutional, civil rights and environmental matters. He is formerly a member of, and currently an advisor to, the Executive Committee of the Labor and Employment Section of the California State Bar. From 1992 through 1999, he served as a contributing editor of "Construction Organizing: An Organizing and Contract Enforcement Guide," published by the AFL-CIO Building and Construction Trades Department. Mr. Demain is a graduate of Boalt Hall School of Law at the

University of California, and served as a judicial clerk to the Honorable James R. Browning, then-Chief Judge of the United States Court of Appeals for the Ninth Circuit.

**11:15–12:00 p.m. Lunch (included in registration fee)**

**12:00–1:00 p.m. California Wage and Hour Law**

**Michael Jackman**

California Department of Industrial Relations, Department of Labor Standards Enforcement, Office of the Labor Commissioner, San Diego

Mr. Jackman will present the essentials of wage and hour law, focusing on areas often misunderstood, including overtime, record keeping, independent contractors, salary vs. hourly compensation, commissions and breaks.

Michael Jackman is a Staff Attorney in the San Diego office of the California State Labor Commissioner. Before becoming Staff Attorney, he served as a Deputy Labor Commissioner and as an administrative Hearing Officer for the same agency. He represents the agency and wage claimants in San Diego, Imperial and Riverside Counties. Prior to joining the Labor Commissioner's Office, Mr. Jackman worked as a Staff Attorney for California Rural Legal Assistance, in Oceanside, California, where he represented farm workers in employment, housing, immigration and consumer matters. Mr. Jackman attended the University of San Diego School of Law, graduating in 1990. He has a Bachelor's Degree in Spanish Language and Literature from San Diego State University.

**1:00–2:00 p.m. Injured and Disabled Workers**

**Larry Minsky**

Law Offices of Larry Minsky, Cerritos

Mr. Minsky will discuss the many laws affecting workers with injuries and disability, and the interplay between and among those laws, including disability discrimination, disability accommodation, family and medical leave, workers' compensation and disability retirement.

Larry Minsky has been in practice for over 20 years, representing only employees in both the public and private sectors in federal and state courts. Mr. Minsky has focused on discrimination, ERISA and wrongful termination, with a special emphasis on disability discrimination. Mr. Minsky graduated from the People's College of Law in Los Angeles after receiving his Master's degree in sociology. He is co-author of the California State Bar's Labor and Employment Quarterly "ADA Disability Law Case Notes" and helped co-author the initial chapter on disability discrimination in Clark Boardman Callahan's Employee and Union Member Guide to Labor Law. Mr. Minsky has a number of reported decisions, including *Chevron U.S.A., Inc. v. Echazabal*. He is currently a member of the Los Angeles County Bar Association's Seminar Committee for the Labor and Employment Law Section, and also serves as an advisor to the California State Bar's Labor and Employment Law Section.

# REGISTRATION FORM

The Labor and Employment Law Section, State Bar of California

## Labor and Employment Law For the General Practitioner

Saturday, May 10, 2003  
Palm Springs, CA

*Note: One registrant per form.  
Photocopies may be used.*

Name: \_\_\_\_\_

Bar Number: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

### Registration Fees (must be received by May 7, 2003)

Please check the appropriate box below:

- |   |      |
|---|------|
| <input type="checkbox"/> State Bar Labor & Employment Law Section Member  | \$35 |
| <input type="checkbox"/> Non-Section Member - Special Section Membership Offer<br>includes Program and membership in State Bar Labor<br>and Employment Law Section for only \$30 (regularly \$60) | \$65 |
| <input type="checkbox"/> Riverside County & Desert Bar Association  | \$35 |
| <input type="checkbox"/> All Others   | \$40 |

Amount Enclosed /  
To Be Charged..... \$ \_\_\_\_\_

### Credit Card Information (VISA/MASTERCARD ONLY)

*I authorize the State Bar of California to charge my program registration to  
my Visa/MasterCard account. (No other credit card will be accepted.)*

Account Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Cardholder's Name \_\_\_\_\_

Cardholder's Signature \_\_\_\_\_

**Registration MUST BE RECEIVED BY May 7, 2003**

# REGISTRATION INFORMATION

## DEADLINE

In order to pre-register, your form and check, payable to the State Bar of California, or credit card information **MUST BE RECEIVED BY MAY 7, 2003.**

## MAIL TO

Program Registrations, State Bar of California, 180 Howard St., San Francisco, CA 94105

Or

## FAX TO

Program Registrations at 415.538.2368. In order to fax your registration, credit card information is MANDATORY.

## CANCELLATIONS/REFUNDS

Cancellations and requests for refunds must be received in writing by May 7, 2003. Substitute registrants are allowed but must register in their own name at the meeting to receive MCLE credit.

**ON-SITE REGISTRATION** is limited and subject to availability. Please register in advance.

**NO CONFIRMATION LETTER** will be sent. You must check in at the Registration Desk before the program.

## SPECIAL ASSISTANCE

For special assistance please call 415.538.2549; for TDD speech and hearing impaired, please call 415.538.2231.

## QUESTIONS

For registration information please call 415.538.2508.  
For information regarding the program please call 415.538.2395.

*The State Bar of California Section Education & Meeting Services is a State Bar of California approved provider.*